

ORDINANCE NO. 2000 - 060

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR COUNTY INITIATED CORRECTIVE AMENDMENTS: **00-29 RES 1 (CLAARTJE 2)**, MODIFYING PAGE 29 OF THE FLUA BY CHANGING A PARCEL OF LAND APPROXIMATELY 11.45 ACRES, GENERALLY LOCATED ON THE NORTHWEST CORNER OF NORTHLAKE BOULEVARD AND MEMORIAL PARK ROAD FROM RURAL RESIDENTIAL, 1 UNIT PER 10 ACRES (RR-10) TO LOW RESIDENTIAL, 1 UNIT PER ACRE (LR-1); **00 - 57 CHX 1 (KELLY TRACTOR)**, MODIFYING PAGE 57 OF THE FLUA BY REMOVING CROSS-HATCHING FROM APPROXIMATELY 5.62 ACRES, GENERALLY LOCATED ON THE SOUTH SIDE OF OKEECHOBEE BOULEVARD, APPROXIMATELY 0.25 MILE WEST OF HAVERHILL ROAD; **00-58 RES 1 (MARINE DRIVE)**, MODIFYING PAGE 58 OF THE FLUA BY CHANGING PARCELS OF LAND TOTALING APPROXIMATELY 4.93 ACRES, GENERALLY LOCATED ON THE NORTH AND WEST SIDES OF MARINE DRIVE, APPROXIMATELY 0.40 OF A MILE WEST OF CONGRESS AVENUE AND 0.20 MILE NORTH OF BELVEDERE ROAD FROM LOW RESIDENTIAL, 2 UNITS PER ACRE (LR-2) TO HIGH RESIDENTIAL, 8 UNITS PER ACRE (HR-8); **00-82 RES 1 (BRYNTESON NURSERY PUD)**, MODIFYING PAGE 82 OF THE FLUA BY CHANGING PARCELS OF LAND TOTALING APPROXIMATELY 3.86 ACRES, GENERALLY LOCATED ON THE SOUTH SIDE OF LANTANA ROAD, APPROXIMATELY 0.50 MILE WEST OF MILITARY TRAIL FROM LOW RESIDENTIAL, 3 UNITS PER ACRE (LR-3) TO MEDIUM RESIDENTIAL, 5 UNITS PER ACRE (MR-5); **00-99 RES 2 (HERITAGE PARK PUD)**, MODIFYING PAGE 99 OF THE FLUA BY CHANGING A PARCEL OF LAND APPROXIMATELY 8.95 ACRES, GENERALLY LOCATED ON THE WEST SIDE OF VIA FLORA ROAD, EAST OF EL CLAIR RANCH ROAD, APPROXIMATELY 0.20 OF A MILE NORTH OF ATLANTIC AVENUE FROM MEDIUM RESIDENTIAL, 5 UNITS PER ACRE (MR-5) TO HIGH RESIDENTIAL, 12 UNITS PER ACRE (HR-12); **00-119 RES 1 (CANAL POINT)**, MODIFYING PAGE 119 OF THE FLUA BY CHANGING PARCELS OF LAND TOTALING APPROXIMATELY 50.51 ACRES, GENERALLY LOCATED ON THE EAST SIDE OF US 441/CONNERS HIGHWAY, EXTENDING APPROXIMATELY 2 MILES NORTH OF CANAL POINT FROM AGRICULTURAL PRODUCTION (AP) TO LOW RESIDENTIAL, 1 UNIT PER ACRE (LR-1); PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have

1 initiated amendments to several elements of the Comprehensive Plan in
2 order to promote the health, safety and welfare of the public of Palm
3 Beach County; and

4 **WHEREAS**, the Palm Beach County Local Planning Agency conducted its
5 public hearings on June 9 and 16, 2000 to review the proposed
6 amendments to the Palm Beach County Comprehensive Plan and made
7 recommendations regarding the proposed amendments to the Palm Beach
8 County Board of County Commissioners pursuant to Chapter 163, Part II,
9 Florida Statutes; and

10 **WHEREAS**, the Palm Beach County Board of County Commissioners, as
11 the governing body of Palm Beach County, conducted a public hearing
12 pursuant to Chapter 163, Part II, Florida Statutes, on July 12, 2000
13 to review the recommendations of the Local Planning Agency, whereupon
14 the Board of County Commissioners authorized transmittal of proposed
15 amendments to the Department of Community Affairs for review and
16 comment pursuant to Chapter 163, Part II, Florida Statutes; and

17 **WHEREAS**, Palm Beach County received on October 4, 2000 the
18 Department of Community Affairs "Objections, Recommendations, and
19 Comments Report," dated September 29, 2000 which was the Department's
20 written review of the proposed Comprehensive Plan amendments; and

21 **WHEREAS**, the written comments submitted by the Department of
22 Community Affairs contained no objections to the amendments contained
23 in this ordinance;

24 **WHEREAS**, on December 6, 2000 the Palm Beach County Board of County
25 Commissioners held a public hearing to review the written comments
26 submitted by the Department of Community Affairs and to consider
27 adoption of the amendments; and

28 **WHEREAS**, the Palm Beach County Board of County Commissioners has
29 determined that the amendments comply with all requirements of the
30 Local Government Comprehensive Planning and Land Development
31 Regulations Act.

32 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
33 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

(MR-5)

General Location: South side of Lantana Road, approximately
0.50 mile west of Military Trail;

Size: Approximately 8.86 acres (collectively);

E. Future Land Use Atlas page 99 is amended as follows:

Application No.: 00-99 RES 2 (Heritage Park PUD)

Amendment: From Medium Residential, 5 units per acre
(MR-5) to High Residential, 12 units per
acre (HR-12);

General Location: West side of Via Flora Road, east of El
Clair Ranch Road, approximately 0.20 of a
mile north of Atlantic Avenue;

Size: Approximately 8.95 acres;

F. Future Land Use Atlas page 119 is amended as follows:

Application No.: 00-119 RES 1 (Canal Point)

Amendment: From Agricultural Production (AP) to Low
Residential, 1 unit per acre (LR-1);

General Location: East side of US 441/Conners Highway,
extending approximately 2 miles north of
Canal Point;

Size: Approximately 50.51 acres (collectively).

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area
of Palm Beach County in conflict with any provision of this ordinance
are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of
this Ordinance is for any reason held by the Court to be
unconstitutional, inoperative or void, such holding shall not affect
the remainder of this Ordinance.

Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part
of the 1989 Palm Beach County Comprehensive Plan. The Sections of the

Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Part V. Effective Date

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolutions shall be sent to the Department of Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Boulevard Tallahassee, Florida 32399-2100.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 6 day of December, 2000.

ATTEST:
DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

By Jean Hader
Deputy Clerk

By WJm
Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
By [Signature]
COUNTY ATTORNEY

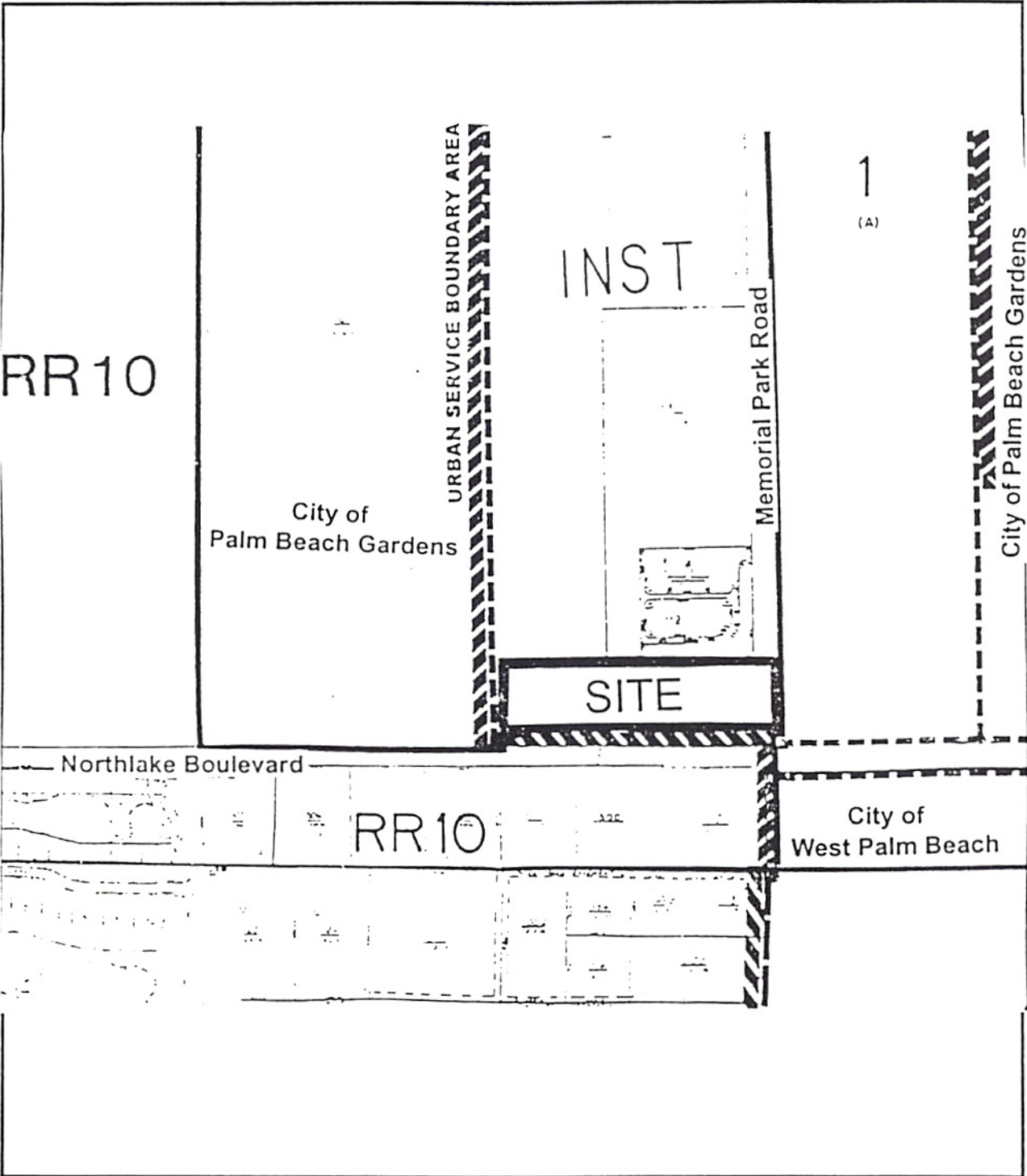
Filed with the Department of State on the 12th day
of December, 2000.

1:\PLANNING\AMEND\00-1\Admin\BCCA\opt\Ordinances\county-initiated-ord.wpd

EXHIBIT 1

A. Future Land Use Atlas page 29 is amended as follows:

Amendment No.: 00-29 RES 1 (Claartje 2)
Amendment: From Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 1 unit per acre (LR-1)
Location: On the northwest Corner of Northlake Boulevard and Memorial Park Road
Size: Approximately 11.45 acres
Property No.: 00-41-42-14-00-000-5030



B. Future Land Use Atlas page 57 is amended as follows:

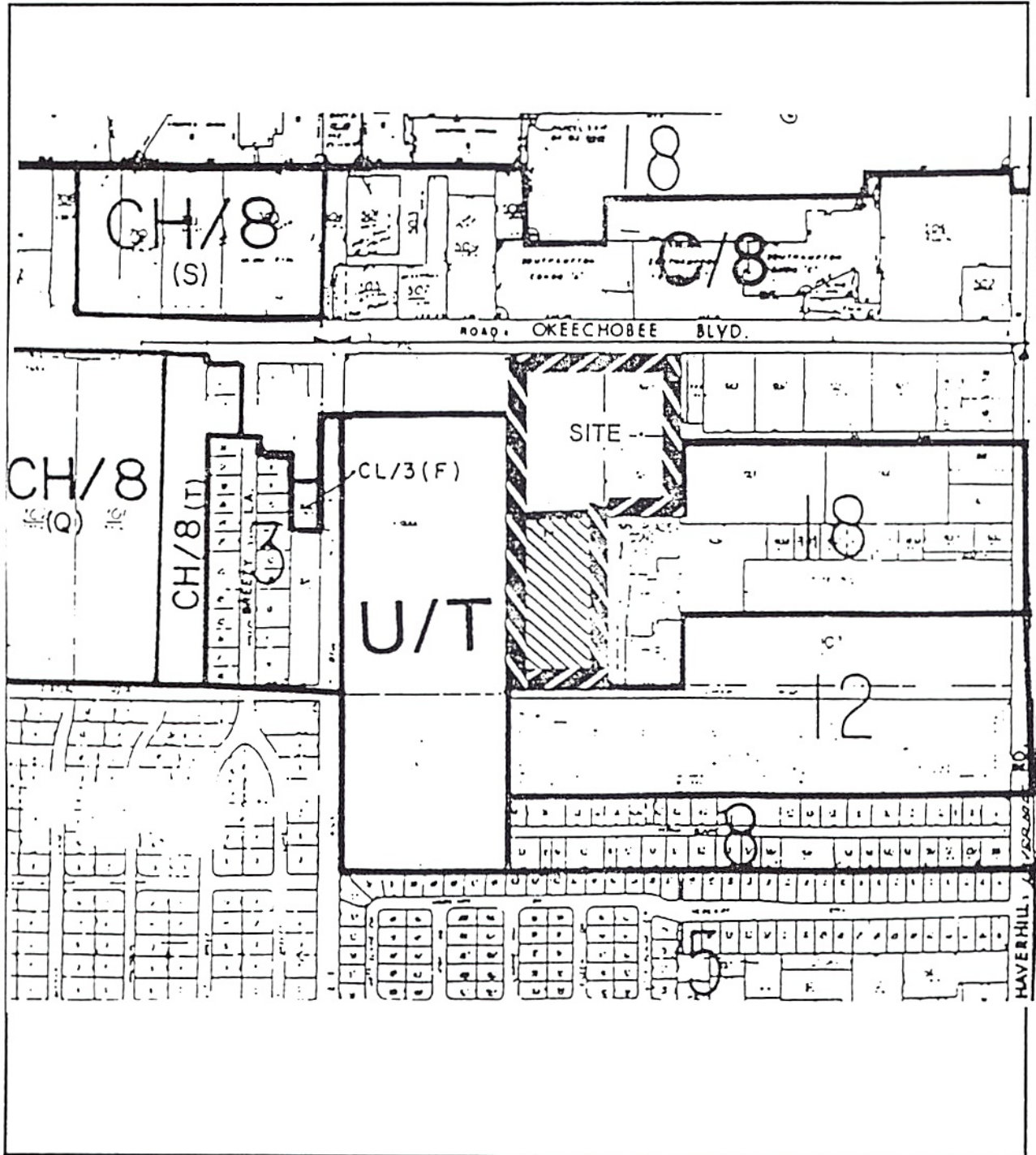
Amendment No.: 00-57-CHX 1 (Kelly Tractor)

Amendment: Removing cross-hatching

Location: South side of Okeechobee Boulevard, approximately 0.25 mile west of Haverhill Road

Size: Approximately 5.62 acres

Property No.: 00-42-43-26-00-000-1040 (a 5.62 acre portion of a 10.51 acre property)



C. Future Land Use Atlas page 58 is amended as follows:

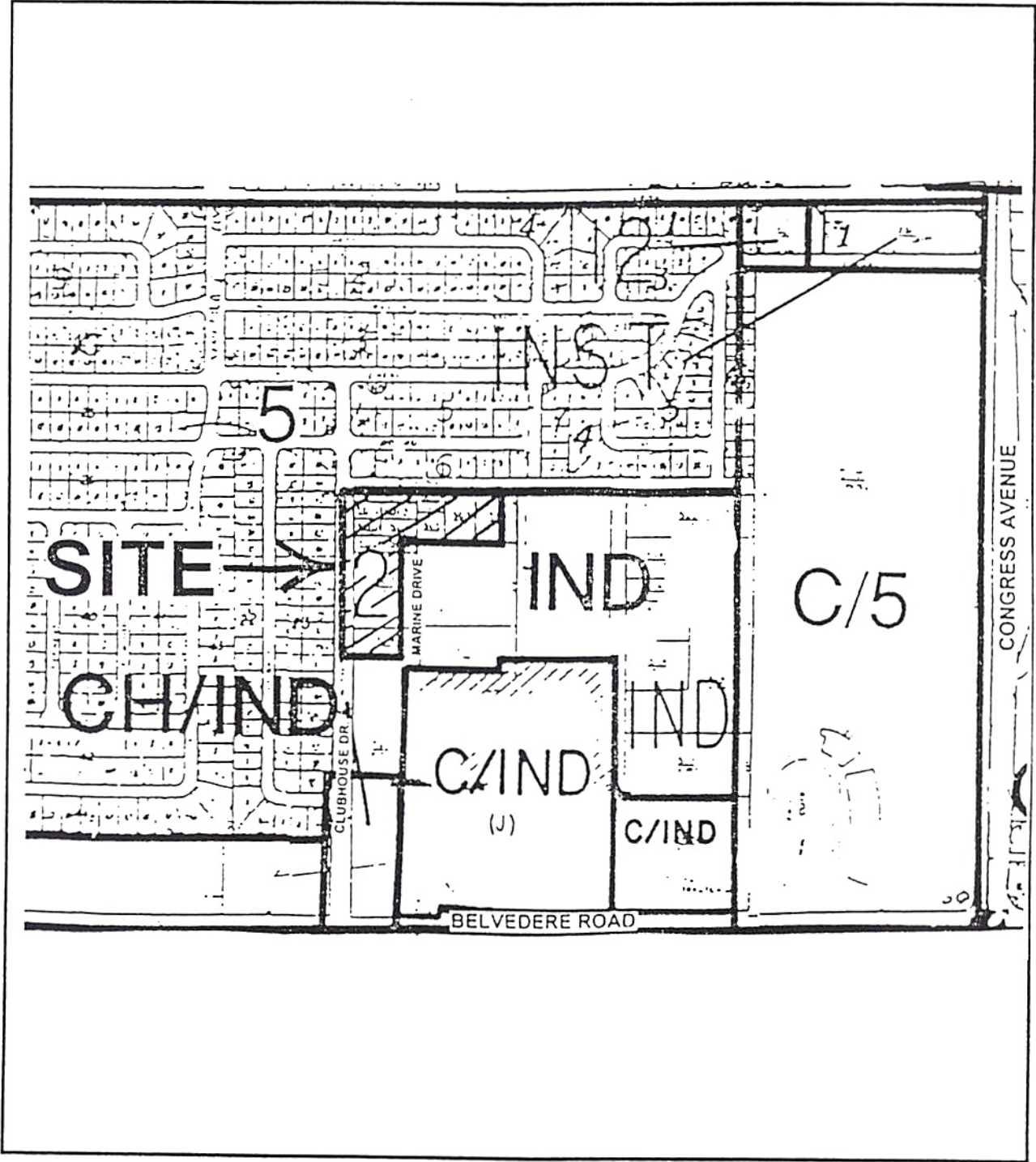
Amendment No.: 00-58 RES 1 (Marine Drive)

Amendment: From Low Residential, 2 units per acre (LR-2) to High Residential, 8 units per acre (HR-8)

Location: North and west sides of Marine Drive, Approximately 0.40 of a mile west of Congress Avenue and 0.20 mile north of Belvedere Road

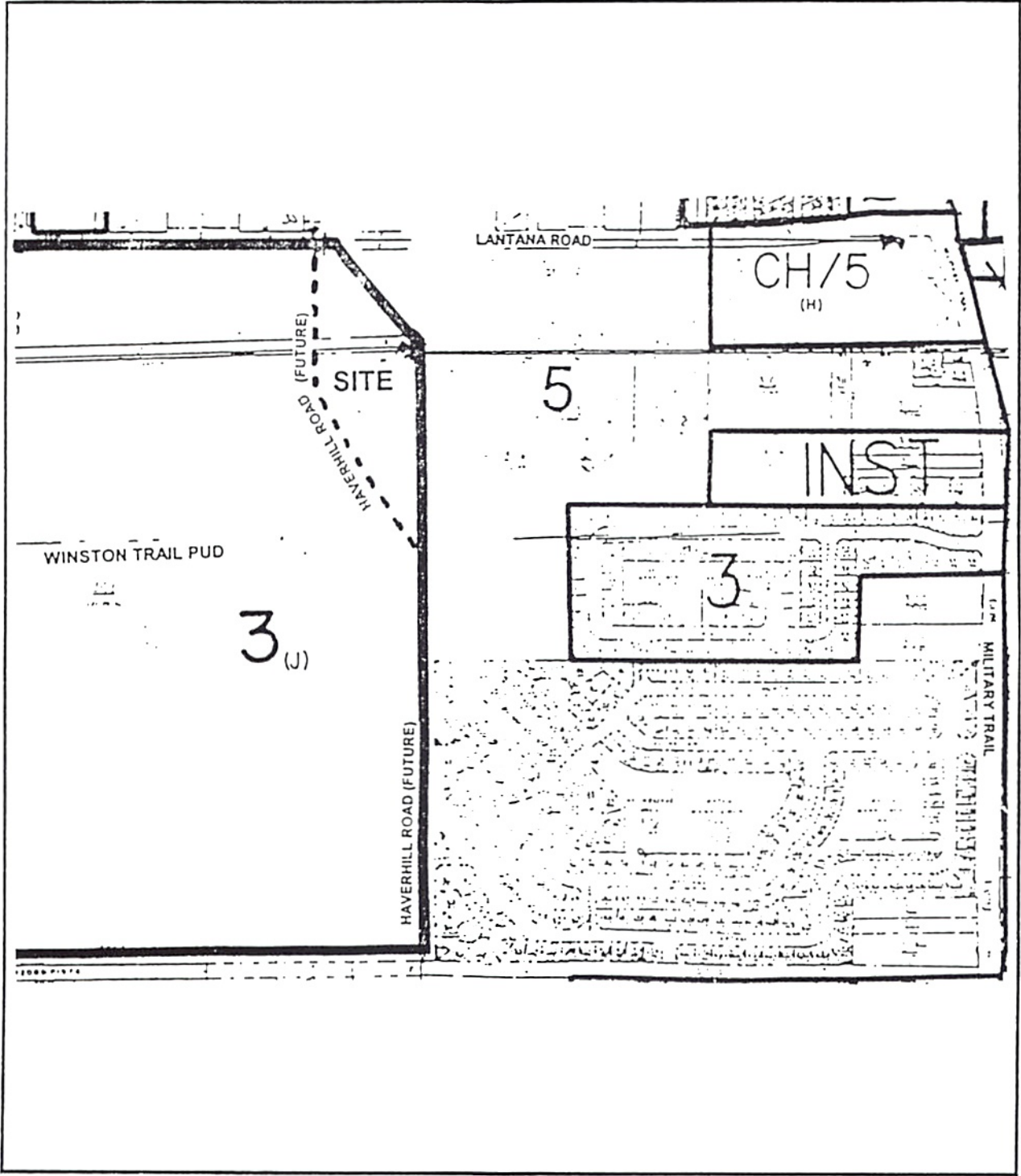
Size: Approximately 4.93 acres (collectively)

Property No.: 00 43 43 30 00 000 5010 00 43 43 30 00 000 5040
00 43 43 30 00 000 5011 00 43 43 30 00 000 5050
00 43 43 30 00 000 5012 00 43 43 30 00 000 5051
00 43 43 30 00 000 5013 00 43 43 30 00 000 5060
00 43 43 30 00 000 5020 00 43 43 30 00 000 5070
00 43 43 30 00 000 5021 00 43 43 30 00 000 5100
00 43 43 30 00 000 5030



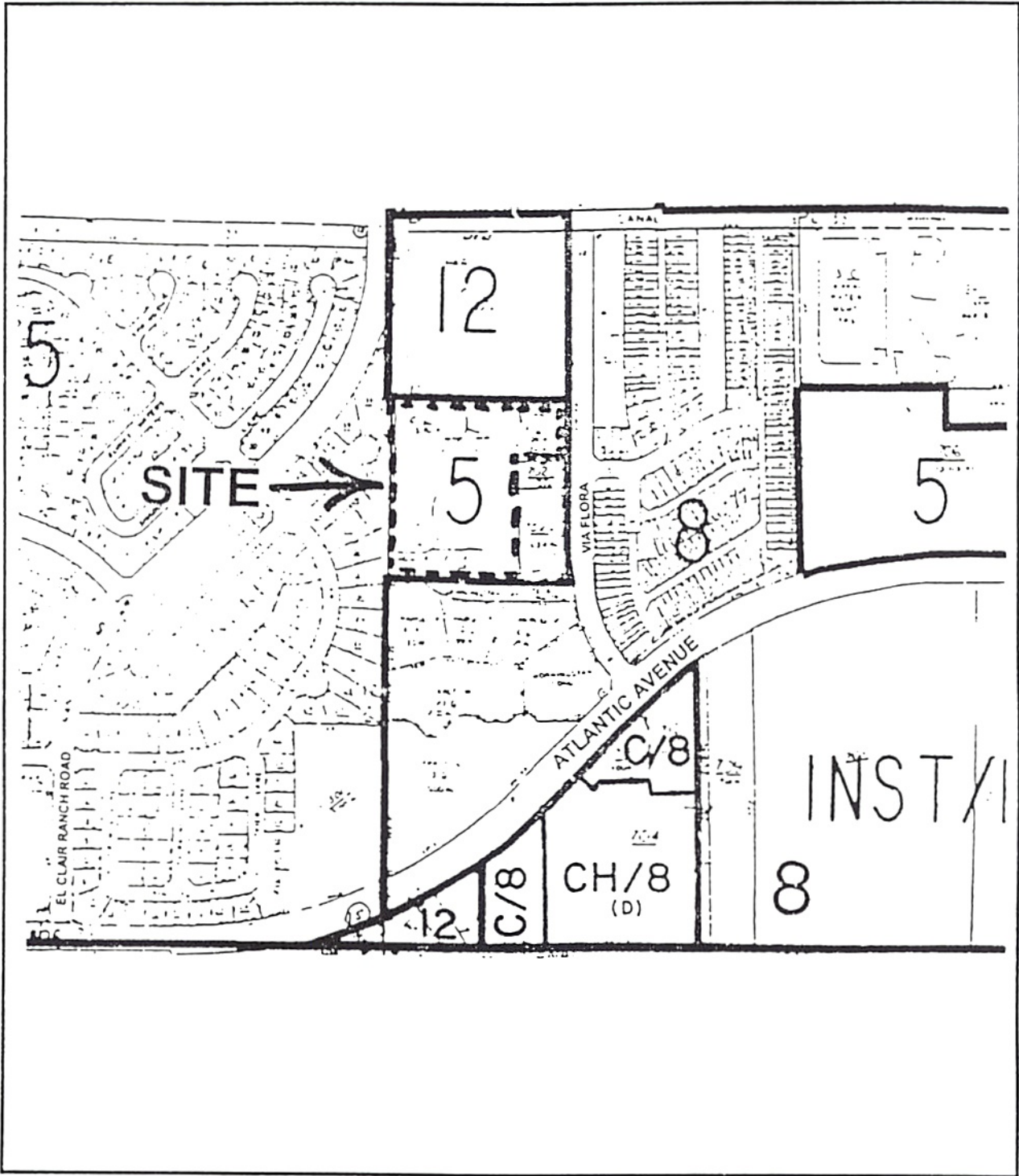
D. Future Land Use Atlas page 82 is amended as follows:

Amendment No.: 00-82 RES 1 (Brynteson Nursery PUD)
Amendment: From Low Residential, 3 units per acre (LR-3) to Medium Residential, 5 units per acre (MR-5)
Location: South side of Lantana Road, approximately 0.50 mile west of Military Trail
Size: Approximately 8.86 acres (collectively)
Property No.: 00-42-45-02-00-000-1020
00-42-45-02-00-000-1030
00-42-44-38-00-038-0020



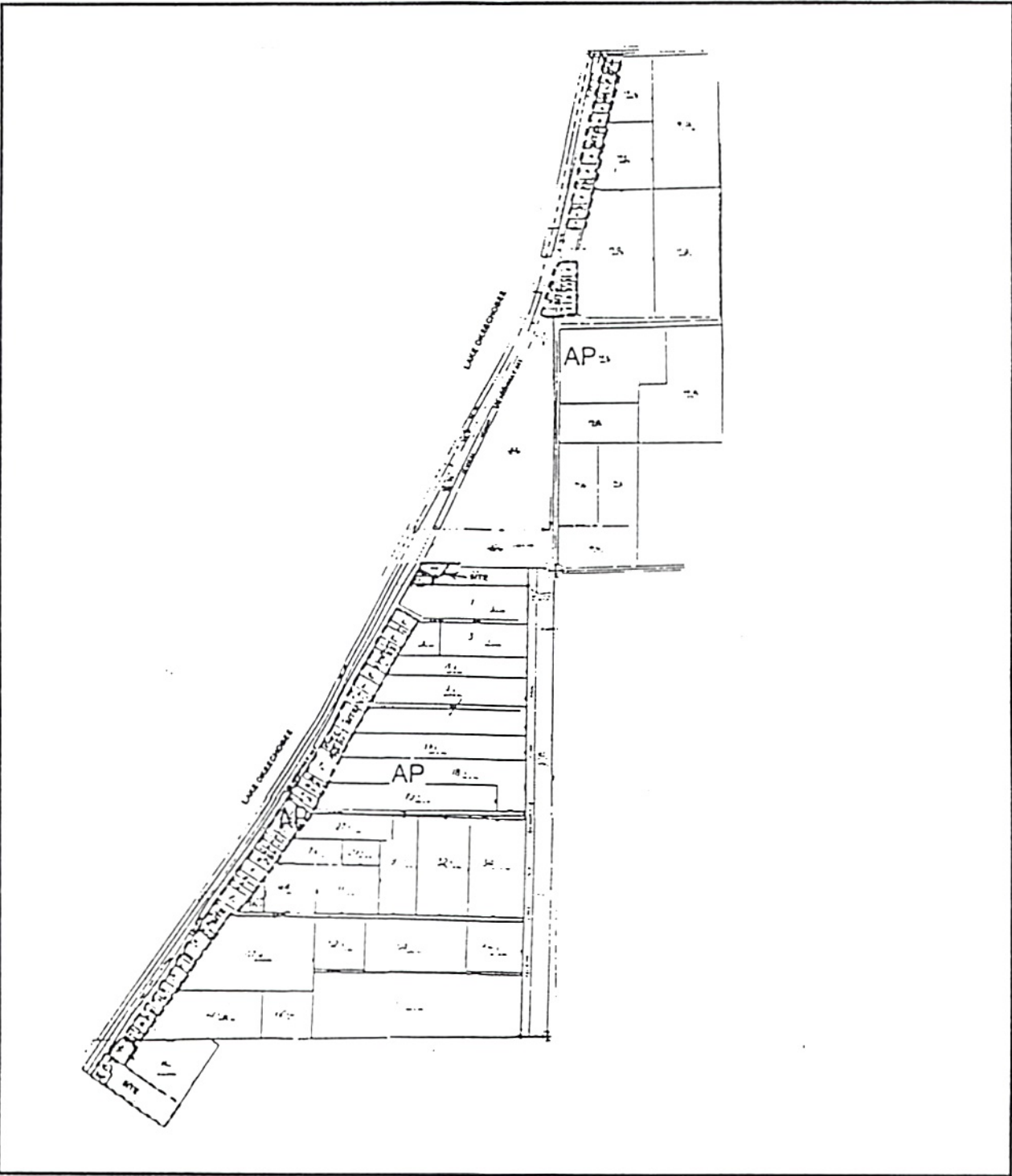
E. Future Land Use Atlas page 99 is amended as follows:

- Amendment No.: 00-99 RES 2 (Heritage Park PUD)
- Amendment: From Medium Residential, 5 units per acre (MR-5) to High Residential, 12 units per acre (HR-12)
- Location: West side of Via Flora Road, east of El Clair Ranch Road, approximately 0.20 of a mile north of Atlantic Avenue
- Size: Approximately 8.95 acres (collectively)
- Property No.: 00-42-46-14-14-000-0020
00-42-46-14-14-000-0030
00-42-46-14-14-001-0000
00-42-46-14-14-002-0000



F. Future Land Use Atlas page 119 is amended as follows:

Amendment No.: 00-119 RES 1 (Canal Point)
Amendment: From Agricultural Production (AP) to Low Residential, 1 unit per acre (LR-1)
Location: East side of US 441/Conners Highway, extending approximately 2 miles north of Canal Point
Size: Approximately 50.51 acres (collectively)
Property No.: See attached



Property Control Numbers:

00 37 41 22 00 000 9030
00 37 41 22 00 000 9040
00 37 41 22 00 000 9050
00 37 41 22 00 000 9060
00 37 41 23 01
00 37 41 23 01 000 0620
00 37 41 23 01 000 0630
00 37 41 23 01 000 0641
00 37 41 23 01 000 0651
00 37 41 23 01 000 0670
00 37 41 23 01 000 0690
00 37 41 23 01 000 0700
00 37 41 23 01 000 0710
00 37 41 23 01 000 0730
00 37 41 23 01 000 0751
00 37 41 23 01 000 0770
00 37 41 23 01 000 0800
00 37 41 23 01 000 0830
00 37 41 23 01 000 0860
00 37 41 23 01 000 0870
00 37 41 23 01 000 0880
00 37 41 23 01 000 0900
00 37 41 23 01 000 0910
00 37 41 23 01 000 0930
00 37 41 23 01 000 1020
00 37 41 23 01 000 1050
00 37 41 23 01 000 1060
00 37 41 23 01 000 1070
00 37 41 23 01 000 1080
00 37 41 23 01 000 1101
00 37 41 27 00 000 5020
00 37 41 27 00 000 5030
00 37 41 27 00 000 5040
00 37 41 27 01 002 0010
00 37 41 27 01 002 0030
00 37 41 27 01 002 0040
00 37 41 27 01 002 0060
00 37 41 27 01 002 0070
00 37 41 27 01 002 0080
00 37 41 27 01 002 0100
00 37 41 27 01 002 0110
00 37 41 27 01 002 0130
00 37 41 27 01 002 0150

00 37 41 27 01 002 0160
00 37 41 27 01 010 0010
00 37 41 27 01 010 0051
00 37 41 27 01 010 0052
00 37 41 27 01 010 0071
00 37 41 27 01 010 0072
00 37 41 27 01 010 0081
00 37 41 27 01 010 0090
00 37 41 27 01 010 0100
00 37 41 27 01 010 0131
00 37 41 27 01 010 0141
00 37 41 27 01 010 0160
00 37 41 27 01 026 0010
00 37 41 27 01 026 0031
00 37 41 27 01 026 0032
00 37 41 27 01 026 0060
00 37 41 27 01 026 0070
00 37 41 27 01 026 0080
00 37 41 27 01 026 0090
00 37 41 27 01 026 0100
00 37 41 27 01 026 0120
00 37 41 27 01 026 0140
00 37 41 27 01 026 0150
00 37 41 27 01 026 0160
00 37 41 27 01 026 0170
00 37 41 27 01 047 0011
00 37 41 27 01 047 0031
00 37 41 27 01 047 0051
00 37 41 27 01 047 0061
00 37 41 27 01 047 0101
00 37 41 27 01 062 0010
00 37 41 27 01 062 0021
00 37 41 27 01 062 0051
00 37 41 27 01 062 0071
00 37 41 27 01 062 0101
00 37 41 27 01 062 0111
00 37 41 27 01 062 0121
00 37 41 27 01 062 0131
00 37 41 27 01 062 0151
00 37 41 34 00 000 3060
00 37 41 34 00 000 3070
00 37 41 34 00 000 3080
00 37 41 34 00 000 3120

T:\PLANNING\AMEND\00-2\Admin\BCCAdopt\Ordinances\county-initiated-ord.wpd

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on December 6, 2000
DATED at West Palm Beach, FL on 12/19/00.
DOROTHY H. WILKEN, Clerk
By: Diane Brown D.C.